

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

MOUNTAIN VALLEY PIPELINE, L.L.C., : Civil Action No. 2:17-cv-04214

Plaintiff, :
:

vs. :
:

AN EASEMENT TO CONSTRUCT, :
OPERATE AND MAINTAIN A 42-INCH :
GAS TRANSMISSION LINE ACROSS :
PROPERTIES IN THE COUNTIES OF :
NICHOLAS, GREENBRIER, MONROE, :
SUMMERS, BRAXTON, HARRISON, :
LEWIS, WEBSTER, AND WETZEL, WEST :
VIRGINIA, et al. :
:

Defendants. :
:

**MOTION FOR EXPEDITED HEARING ON
MOTIONS FOR PARTIAL SUMMARY JUDGMENT AND
IMMEDIATE ACCESS TO AND POSSESSION OF THE EASEMENTS CONDEMNED**

On October 27, 2017, Plaintiff Mountain Valley Pipeline, L.L.C. (“MVP”) filed (1) a Motion for Partial Summary Judgment and Immediate Access to Survey the Easements Condemned and a Memorandum of Law in Support, and (2) a Motion for Partial Summary Judgment and Immediate Access to the Easements Condemned for Construction and a Memorandum of Law in Support. As set forth in the Motions and Memoranda of Law, MVP needs access to those defendants’ properties that MVP has not previously surveyed by agreement by January 15, 2018, and MVP needs access to the defendants’ properties by February 1, 2018, to begin construction activities for the Mountain Valley Pipeline Project (“MVP Project”). Delaying access to the easements condemned across the defendants’ properties will cause irreparable harm to the public and to MVP.

The defendants are being served with the Notices of Condemnation required by Rule 71.1 of the Federal Rules of Civil Procedure by personal service. The defendants will also be served with the Complaint and the Motions for Partial Summary Judgment and Immediate Access and the Memoranda of Law in Support, as well as this Motion, by personal service.

WHEREFORE, for the reasons set forth in the Motions for Partial Summary Judgment and Immediate Access and the accompanying Memoranda of Law in Support, MVP moves to have its Motions for Immediate Access heard on an expedited basis in order to allow MVP access to the easements necessary to conduct surveying and to begin construction of the MVP Project. MVP requests that this Court enter an Order requiring any defendant opposing the Motions for Partial Summary Judgment and Immediate Access to file a response by December 4, 2017, and allowing MVP to file a reply by December 11, 2017. MVP requests that this Court schedule a hearing on the Motions on or before December 13, 2017, or such other date that accommodates the Court's schedule.

October 27, 2017

REED SMITH LLP

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L.L.C.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Plaintiff Mountain Valley Pipeline, L.L.C.'s Motion for Expedited Hearing on the Motions for Partial Summary Judgment and Immediate Access to the Easements Condemned has been served via hand delivery upon the individuals identified on the attached Service List.

Dated: October 27, 2017

/s/ Nicolle R. Snyder Bagnell

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